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Advancement of women

Status of the Convention on the Elimination of All Forms of Discrimination against Women

Report of the Secretary-General**

Summary

The present report is submitted in compliance with General Assembly resolution 56/229 of 24 December 2001 on the Convention on the Elimination of All Forms of Discrimination against Women, in which the Assembly requested the Secretary-General to submit to it at its fifty-seventh session a report on the status of the Convention.

* A/57/150.

** The present report was submitted after the 10-week deadline in order to include the results of the exceptional session of the Committee on the Elimination of Discrimination against Women, which ended on 23 August 2002.

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I. Status of the Convention on the Elimination of All Forms of Discrimination against Women

1. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted by the General Assembly by resolution 34/180 of 18 December 1979. It was opened for signature, ratification and accession in New York on 1 March 1980 and, in accordance with article 27, entered into force on 3 September 1981.

2. As at 31 August 2002, 170 States parties had ratified, acceded or succeeded to the Convention, of which 60 had acceded to it and 7 had succeeded to it. In addition, 3 further States were signatories to the Convention. The most recent States to ratify the Convention were Bahrain, on 18 June 2002, and Solomon Islands, on 6 May 2002.

3. As at 31 August 2002, 35 States parties had deposited with the Secretary-General instruments of acceptance to the amendment to article 20, paragraph 1, of the Convention, relating to the periodicity and duration of the meetings of the Committee on the Elimination of Discrimination against Women. During the period from 1 August 2001 to 31 August 2002, the following States parties deposited their instrument of acceptance of the amendments as follows: China, on 10 July 2002; Cyprus, on 30 July 2002; Egypt, on 2 August 2001; Germany, on 25 February 2002; Iceland, on 8 May 2002; Jordan, on 11 January 2002; Lesotho, on 12 November 2001; Maldives, on 7 February 2002; Mali, on 20 June 2002; Niger, on 1 May 2002; and Portugal, on 8 January 2002.

4. During the period from 1 August 2001 to 31 August 2002, reservations were entered by the Kingdom of Bahrain to articles 2, 9, paragraph 2, 15, paragraph 4, 16 and 29, paragraph 2.

5. During the period from 1 August 2001 to 31 August 2002, objections to reservations were received from Austria, Denmark, Finland, France, Germany, Norway, Spain and Sweden. A communication relating to reservations was received from Ireland. A withdrawal of reservations was received from Germany on 10 December 2001.

II. Status of the Optional Protocol to the Convention

6. By its resolution 54/4 of 6 October 1999, the General Assembly adopted the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The Optional Protocol, which entitles individuals and groups of individuals to submit communications concerning alleged violations of the Convention in a State party to the Convention and the Protocol, allows the Committee to inquire of its own motion into grave or systematic violations of the Convention. The Optional Protocol was opened for signature, ratification and accession at United Nations Headquarters on 10 December 1999 and entered into force on 22 December 2000.

7. As at 31 August 2002, 75 States parties had signed the Optional Protocol and 43 had ratified or acceded to it. States parties to become party to the Optional Protocol during the period from 1 August 2001 to 1 August 2002 were: Costa Rica, on 20 September 2001; Cyprus, on 26 April 2002; the Dominican Republic, on 10 August 2001; Ecuador, on 5 February 2002; Georgia, on 1 August 2002; Germany, on 15 January 2002; Greece, on 24 January 2002; Guatemala, on 9 May 2002; Kazakhstan, on 24 August 2001; Kyrgyzstan, on 22 July 2002; Liechtenstein, on 24 October 2001; Mexico, on 15 March 2002; Mongolia, on 28 March 2002; the Netherlands, on 22 May 2002; Norway, on 5 March 2002; Portugal, on 26 April 2002; Solomon Islands, on 6 May 2002; and Venezuela, on 13 May 2002. By its decision 24/I, taken in January 2001, the committee on the Elimination of Discrimination against Women established a five-member Optional Protocol Working Group in accordance with its rules of procedure. The Group has met three times since its establishment to devise working methods for the Committee with respect to its functions under the Optional Protocol. It also formulated a draft model communications form for those seeking to submit petitions under the Optional Protocol.

III. Committee on the Elimination of Discrimination against Women

A. Capacity to fulfil its mandate

1. Fulfilment by States parties of reporting obligations

8. Article 18, paragraph 1, of the Convention provides that States parties undertake to submit reports on the implementation of the Convention within one year after its entry into force for the State party concerned and thereafter at least every four years and further whenever the Committee on the Elimination of Discrimination against Women so requests.

9. From 1 August 2001 to 31 August 2002, the reports of eight States parties were received by the Secretary-General: Albania (combined, initial and second periodic reports); Argentina (fifth periodic report); Canada (fifth periodic report); Congo (combined, initial, second, third, fourth and fifth periodic reports); Ecuador (combined fourth and fifth periodic reports); Guatemala (fifth periodic report); Luxembourg (fourth periodic report); and Yemen (fifth periodic report).

10. From 1 August 2001 to 31 August 2002, the Committee considered, at its twenty-sixth and twenty-seventh sessions, 25 reports submitted by 14 States parties: two initial reports; two combined initial, second and third periodic reports; one combined second and third periodic report; five combined third and fourth periodic reports; two fourth periodic reports; one combined fourth and fifth periodic report; and three fifth periodic reports. The reports of 11 States parties were considered by the Committee during its exceptional session, held from 5 to 23 August 2002, which had been authorized by the General Assembly in its resolution 56/229.[1]

2. Reports awaiting consideration and overdue reports

11. As at 31 August 2002, reports submitted by 17 States parties had yet to be considered by the Committee. The Committee will consider the reports of the eight States parties during its twenty-eighth session in January 2003. As at 31 August 2002, there were 263 overdue reports, of which 45 were initial reports, 61 were second periodic reports, 59 were third periodic reports, 48 were fourth periodic reports and 50 were fifth periodic reports.

B. Working methods of the Committee

Decisions and suggestions

12. The Committee on the Elimination of Discrimination against Women met from 22 to 24 April 2002 at the Raoul Wallenberg Institute for Human Rights and Humanitarian Law in Lund, Sweden, in an informal seminar to consider its working methods. On the basis of discussions at that seminar, the Committee adopted new reporting guidelines, which, inter alia, provide suggested page limitations for the reports of States parties. The Committee also reiterated its decision 23/II, in which it decided on an exceptional basis, and as a temporary measure, to invite States with more than one overdue report to combine these reports in a single document. An incremental strategy to encourage reporting by States parties was also adopted, with the Committee deciding that non-reporting States parties, in particular those whose reports were five years or more overdue, would receive reminders on a systematic basis. States parties would also be advised of the availability, on their request, of technical assistance from the Division for the Advancement of Women. The Committee also decided to recommend that the issue of non-reporting should be included on the agenda of the meeting of chairpersons of human rights treaty bodies, with a view to the adoption of a coordinated approach to non-reporting by the chairpersons. The Committee convened an informal meeting of States parties on 17 June 2002 during its twenty-seventh session in June 2002. This meeting enabled States parties and the Committee to exchange views, including on timely reporting.

13. At its twenty-sixth session, the Committee adopted a statement on gender and sustainable development, to be forwarded to the preparatory committee for the World Summit on Sustainable Development, which was held in Johannesburg, South Africa, from 26 August to 4 September 2002. At the same session, the Committee also adopted a statement on ending discrimination against older women through the Convention, to be forwarded to the preparatory committee for the World Assembly on Ageing, which was held in Madrid from 8 to 12 April 2002. The Chairperson and another member represented the Committee at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001. It was also represented at the World Assembly on Ageing and the special session of the General Assembly on children, held from 8 to 10 May 2002.

14. At its twenty-sixth session, in January 2002, the Committee also adopted a statement of solidarity with Afghan women.

IV. Efforts to encourage universal ratification of the Convention, its Option Protocol and acceptance of the amendment to article 20, paragraph 1, of the Convention

15. The Special Adviser to the Secretary-General on Gender Issues and Advancement of Women and the Director of the Division for the Advancement of Women have continued their efforts to encourage universal ratification of the Convention and the Optional Protocol and to ensure acceptance of the amendment to article 20, paragraph 1, of the Convention. In collaboration with the Office of Legal Affairs and the Treaty section and the United Nations Children's Fund, the Division for the Advancement of Women organized a panel discussion during the special session of the General Assembly on children, which sought to encourage signature and ratification of international treaties relevant to the rights of women and children, in particular, the Convention and its Optional Protocol. The panel discussion also underlined the importance of the international rule of law; the potential use of international law at the national level to advance the enjoyment by women and children of human rights; and the complementarity of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.

V. Technical assistance provided to States parties

16. The Division for the Advancement of Women offers technical assistance to States parties at their request. In collaboration with the Economic and Social Commission for Asia and the Pacific, the Division will convene a training workshop from 6 to 8 November 2002 for States parties which have not as yet submitted initial reports. The training workshop will be followed by a judicial colloquium on the domestic application of the Convention on the Elimination of All Forms of Discrimination against Women.

VI. Dissemination of the Convention, its Optional Protocol and information on the work of the Committee

17. The Division for the Advancement of Women maintains a section on its home page on the Internet dedicated to the Convention, its Optional Protocol and the work of the Committee. The text of the Convention and its Optional Protocol, the reports of States parties, documents prepared for the Committee, the Committee's concluding comments and other relevant information are posted on the CEDAW web site. Links between the Division's home page and other sites, including that of the Office of the United Nations High Commissioner for Human Rights, allow cross-reference to other pertinent documents. The Office of the High Commissioner for Human Rights and the Division for the Advancement of Women maintain a database containing information on the submission of reports by States parties and communications under the various human rights treaties.

Notes

[1] For the report of the Committee on its twenty-sixth session, see A/56/38 (Part I). The final report of the Committee on its twenty-sixth, twenty-seventh and exceptional sessions will be issued as *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 38* (A/57/38).